

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
8

9 ARTURO TORRES OCHOA,

10 Plaintiff,

11 vs.

12 D. ESQUIVER, et al.,

13 Defendants.
14

Case No. 3:13-cv-00499-RCJ-VPC

ORDER

15 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections, see 28
16 U.S.C. § 1915(h), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 (#1). The
17 court dismisses this action because plaintiff did not pay the filing fee, nor did he submit an
18 application to proceed in forma pauperis with a financial certificate and a copy of his inmate
19 account statement, as required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2.

20 IT IS THEREFORE ORDERED that the clerk of the court shall send plaintiff a blank form
21 for an application to proceed in forma pauperis for incarcerated litigants and a blank civil rights
22 complaint form with instructions.

23 ///

24 ///

25 ///

26 ///

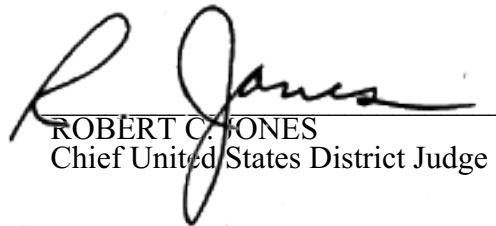
27 ///

28 ///

1 IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice to plaintiff's
2 commencement of a new action in which he either pays the filing fee in full or submits a complete
3 application to proceed in forma pauperis, accompanied by a signed financial certificate and a
4 statement of his inmate account. The clerk of the court shall enter judgment accordingly.

5 IT IS FURTHER ORDERED that an appeal from the dismissal of this action would not be
6 taken in good faith.

7 Dated: This 15th day of October, 2013.

8
9
10 
11 ROBERT C. JONES
12 Chief United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28